



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BRIAN BURKE
Plaintiff

-against-

Solomon Acosta & Fascore/Great West &
MTA/NYC Transit Authority Et. Al.
Defendants,

Docket #07 Civ. 9933 (PKC)(DFE)

SECOND MOTION
FOR
RECONSIDERATION

PLEASE TAKE NOTICE, upon the annexed Affirmation & Memorandum of Law & exhibits annexed hereto and all other pleadings, Plaintiff Brian Burke, Brian Burke, pro se, dated May 5, 2009, will move on **June 8, 2009**, before the Honorable P. Kevin Castel U.S. District Judge, at Daniel Patrick Moynihan Courthouse, 500 Pearl street, New York, NY 10007 or as soon thereafter as parties by counsel may be heard for an order pursuant to Fed. R. Civ. P. 6, 11, 15, 59, 60, 62 and for reversal of April 23, 2009 Order in favor of Plaintiff, allowing Fourth Amended Complaint and/or stay, as per order of August 25, 2008, and for all other relief Court deems just and appropriate. All Rights Reserved Without Prejudice U.C.C. §1-308.

I have carefully reconsidered my decision in view of Mr. Burke's second motion for reconsideration. Having done so, I adhere to my prior ruling.

[Signature]
Brian Burke pro-se
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U.S. DISTRICT COURT
S.D.N.Y.

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SO ORDERED.

[Signature]
5-11-09

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